



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4

**ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960**

September 29, 2008

Mr. Patrick Tyndall
Federal Highway Administration
1835 Assembly Street, Suite 1270
Columbia, SC 29201-2430

**RE: EPA review and comments regarding
Southern Evacuation LifeLine (SELL)
Draft Environmental Impact Statement (DEIS)
CEQ No. 20080312**

Dear Mr. Tyndall:

In accordance with Section 102(2)(C) of the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act, the U.S. Environmental Protection Agency (EPA), Region 4 reviewed the Draft Environmental Impact Statement (DEIS) for the Southern Evacuation LifeLine (SELL) highway project. The purpose of this letter is to provide you with our comments.

The proposed project consists of constructing a controlled access divided highway on a new alignment. The DEIS states the need for the project as hurricane evacuation, congestion relief, and access to services.

Based upon the information provided in the DEIS, the document was rated "EC-2," meaning that environmental concerns exist, and that additional information is needed. Specifically, clarification is needed regarding impacts to wetlands and streams. The Preferred Alternative has the second highest level of wetland impacts among the nine build alternatives that were evaluated. We are very concerned about the 332 acres of wetlands potentially impacted by this alternative and recommend that further measures be considered to avoid and minimize these wetland and stream impacts. For example, measures to further refine alignments, roadway design options, and possible additional bridging to avoid impacts. In addition, more detailed information about the mitigation approach for the remaining wetland and stream impacts should be provided in the FEIS.

Other concerns include impacts to habitats and their potential fragmentation, and indirect and cumulative impacts. We also note that an in-depth environmental justice analysis is planned for the communities adjacent to the Preferred Alternative. The results

of this analysis should be included in the FEIS, along with mitigation for impacts. Our detailed comments are attached.

We appreciate your early coordination with us, and look forward to reviewing the Final EIS. If you have any questions, please contact Ramona McConney of my staff at (404) 562-9615.

Sincerely,

A handwritten signature in dark ink, appearing to read "Heinz Mueller", written over the word "Sincerely,".

Heinz Mueller, Chief
NEPA Program Office
Office of Policy and Management

Cc: Michael Barbee, P.E., SCDOT

**EPA review and comments regarding
Southern Evacuation LifeLine (SELL)
Draft Environmental Impact Statement (DEIS)**

General

We appreciate the reader-friendly layout of the DEIS and the quality of your maps and tables. We note your statement that the Preferred Alternative does not impact any property owned or leased by the Waccamaw National Wildlife Refuge, and that the subject of invasive plant species was evaluated.

Alternatives Analysis

The DEIS states that Alternatives 2, 3, and the Preferred Alternative would result in the least impacts to the human and natural environment (among the build alternatives). Nine build alternatives were evaluated, with three being eliminated due to their impacts (Alternatives 1, 7 and 8). This resulted in six remaining build alternatives.

Page 66 of the DEIS describes the rationale for selecting the Preferred Alternative (safety factors including traffic volumes and likelihood of crashes). However, the Preferred Alternative has the highest acreage of wetlands impacts among the six alternatives. While Transportation System Management (TSM) and Travel Demand Management (TDM) were evaluated in conjunction with the no-build alternatives, more information is needed regarding their potential effectiveness if implemented in conjunction with the build alternatives.

Wetlands and Streams

In general, clarification is needed regarding impacts to wetlands and streams. The Preferred Alternative has the highest level of wetland impacts (332 acres) among the six alternatives in Exhibit 3-28 (ranging from 264-332 acres). Exhibit 3-28 states that the Preferred Alternative has the third lowest impact to high quality wetlands. Please clarify whether wetlands have been ranked by type or by function. For example, it is unclear whether a commonly occurring type of fully functional wetlands could be rated as a low priority type, or a rare type of disturbed or fragmented wetlands could be rated as a high priority type.

The FEIS should quantify the number of stream crossings and describe the resulting impacts. Please clarify whether the impacts stated in the DEIS are permanent fill impacts, or whether they also include construction impacts.

More information is needed regarding avoidance and minimization measures. For example, a few acres of fill for a linear project can negatively impact hundreds of acres of wetland or miles of streams, depending on the design. The FEIS should discuss

mitigation plans for the 332 acres of wetland impacts. This mitigation will be a significant undertaking, and plans should be clearly described.

The DEIS states that wetlands delineation will be conducted during the preparation of the FEIS, and that a mitigation plan for impacts to wetlands, streams, and open waters will be completed. Please note that the *Compensatory Mitigation for Losses of Aquatic Resources; Final Rule*, published in the Federal Register on April 10, 2008, which amended 33 CFR parts 325 and 332, and 40 CFR part 230, established detailed requirements for project-specific compensatory mitigation plans.

Air quality

The proposed project is located in an area that is currently in attainment for all the criteria pollutants of concern, and they comply with NAAQS. The DEIS states that the Preferred Alternative would have a beneficial effect on air quality by relieving traffic congestion on existing routes, decreasing vehicle miles traveled, and improving traffic flow.

Secondary and Cumulative Impacts

We appreciate the discussion of secondary and cumulative impacts in the DEIS. The project could open new areas to development, creating significant indirect and cumulative impacts. EPA has particular concerns about how this could affect species and habitats, as well as air and water quality. Furthermore, increased access to the area could bring further growth, which could result in more evacuees in the case of a hurricane.

Endangered Species

We note that federally-protected species are listed for the area by the U.S. Fish and Wildlife Service (FWS). We appreciate the thorough discussion and illustration of each of the species in the DEIS. EPA defers to the FWS regarding endangered species assessments, and encourages the FHWA and SCDOT to continue coordination with the FWS as appropriate.

Noise

We appreciate the thorough discussion of noise in this DEIS, and your efforts to adjust the build alternatives to avoid communities and neighborhoods as much as possible. The DEIS also notes that further noise analyses will be performed for the Preferred Alternative in the FEIS.

The document notes that noise barriers do not meet the cost requirement per benefited receptor. Thus, they were not determined cost-efficient. Unavoidable noise impacts should be reasonably mitigated. Other forms of noise mitigation (or their combination) should therefore be considered in addition to barriers where they are shown to be infeasible or unacceptable, particularly in residential areas. These forms may include

sound proofing of any significantly affected public facilities, shifting of the right-of-way (ROW) to include residential or commercial receptors that otherwise would be adjacent but outside the ROW and be heavily impacted, and/or development of vegetative screens as part of the landscaping in order to provide a visual separation from the project ROW.

It is also our understanding that the type of roadway surfacing material used may substantially influence the amount of noise impacts generated. As long as feasibility and safety requirements are met, surfacing materials which minimize noise through source reduction are preferred.

SUMMARY OF RATING DEFINITIONS AND FOLLOW UP ACTION*

Environmental Impact of the Action

LO-Lack of Objections

The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC-Environmental Concerns

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impacts. EPA would like to work with the lead agency to reduce these impacts.

EO-Environmental Objections

The EPA review has identified significant environmental impacts that must be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU-Environmentally Unsatisfactory

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the CEQ.

Adequacy of the Impact Statement

Category 1-Adequate

The EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collecting is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2-Insufficient Information

The draft EIS does not contain sufficient information for the EPA to fully assess the environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

Category 3-Inadequate

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

*From EPA Manual 1640 Policy and Procedures for the Review of the Federal Actions Impacting the Environment